

1-1-1894

Revised ordinances of the town of Winter Park, Orange County, Florida, 1894

Town of Winter Park, Florida

Find similar works at: <https://stars.library.ucf.edu/cfm-texts>
University of Central Florida Libraries <http://library.ucf.edu>

Recommended Citation

Town of Winter Park, Florida, "Revised ordinances of the town of Winter Park, Orange County, Florida, 1894" (1894). *Texts of Central Florida*. 785.
<https://stars.library.ucf.edu/cfm-texts/785>

This Book is brought
to you for free and
open access by the
Central Florida
Memory at STARS.
It has been
accepted for
inclusion in Texts of
Central Florida by an
authorized
administrator of
STARS. For more
information, please
contact
lee.dotson@ucf.edu.



REVISED ORDINANCES

— OF THE —

TOWN OF WINTER PARK,

ORANGE COUNTY, FLORIDA,

— 1894. —

SOUTH FLORIDA SENTINEL PRINT,
ORLANDO, FLA.

REVISED ORDINANCES

—OF THE—

TOWN OF WINTER PARK,

ORANGE COUNTY, FLORIDA,

—1894.—

SOUTH FLORIDA SENTINEL PRINT,
ORLANDO, FLA.

CORPORATE LIMITS

Of the Town of Winter Park, Florida, as defined in "Bill 157."

Beginning at the northeast corner of Section one (1), Township twenty-two (22) south, Range twenty-nine (29) east, running west twenty (20) chains, more or less, to northwest corner of northeast quarter of northeast quarter of said Section one (1); thence south on Orlando avenue four thousand nine hundred and forty (4940) feet, more or less, to center of Boulevard; thence east on said Boulevard three thousand three hundred (3300) feet, more or less, to Virginia avenue; thence south on said avenue one thousand three hundred and twenty (1320) feet to Comstock avenue; thence west on said avenue three thousand three hundred (3300) feet, more or less, to Orlando avenue; thence north nine hundred and ninety (990) feet, more or less, to section line between Sections one (1) and twelve (12), Township twenty-two (22), south of Range twenty-nine (29) east; thence west one thousand three hundred and twenty (1320) feet, more or less, to northwest corner of northeast quarter of Section twelve (12); thence south three thousand nine hundred and sixty (3960) feet, more or less, to northwest corner of southwest quarter of southeast quarter of southeast quarter of Section twelve (12), same Township and Range; thence east two and one-quarter (2 1/4) miles; thence north one-half (1/2) mile; thence east one-quarter (1/4) mile to section line; thence north on section line one (1) mile to northeast corner of southeast quarter of northeast quarter of Section five (5), Township twenty-two (22), south Range thirty (30) east; thence west one-quarter of a mile; thence north three quarters of a mile, more or less, to northeast corner of northwest quarter of southeast quarter of Section thirty-two (32), Township twenty-one (21), south Range thirty (30) east; thence west one and three-quarter miles to northwest quarter of southwest quarter of Section thirty-one (31), Township twenty-one (21), south of Range thirty (30) east; thence south two thousand five hundred and sixty (2560) feet, more or less, to beginning.

AN ORDINANCE

Adopting and providing for the publication of the
Revised Ordinances of the Town of Winter Park,
Florida, of 1894.

*Be it Ordained by the Town Council of the Town of Winter
Park, Fla.:*

SECTION 1. That the accompanying general revision of the ordinances of the town of Winter Park of a general and permanent nature, revised and reported by the committee on Rules and Ordinances empowered by the Council, by resolution, to revise the ordinances of the town of Winter Park, be and the same is hereby ordained to be the ordinances of the town of Winter Park, under the title of "The Revised Ordinances of the Town of Winter Park of 1894." Every ordinance of a general and permanent nature enacted by the Council of the town of Winter Park, and every part of any such ordinance not included in said Revised Ordinances or recognized and continued in force by reference therein, is hereby repealed. Provided, however, that nothing herein contained shall be construed as repealing, amending or in any way limiting the provisions of any ordinance or resolution of the Town Council granting franchise to Mr. Francis B. Knowles to maintain and operate certain lines of street railway, or any other company or person.

Sec. 2. Said Revised Ordinances shall go into effect and be operative thirty days from the date of the approval hereof by the Mayor, or from the date of its becoming a law without his approval.

Sec. 3. The said Revised Ordinances, as submitted, shall be printed under the supervision of the committee on Rules and Ordinances in such type, style and manner as they may approve.

PHILIP DALE,
President of Council.

Attest :
WM. A. GUILD, Clerk.
Approved September 20, 1894.

M. A. HENKEL, Mayor.

RULES OF ORDER

For the Government of the Town Council of the Town of Winter Park, Florida.

RULE 1. Council shall meet at council chamber on the second and fourth Thursdays of each month at 7 o'clock p. m., as the regular meetings of the board.

Rule 2. The president of the board of aldermen shall take the chair at the hour appointed for any regular, adjourned or extra meetings; shall immediately call all members to order and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read.

Rule 3. In the absence of the president at any meeting the council shall choose one of its members to act as president pro tem. at that meeting.

Rule 4. The following order shall be observed in the transaction of business :

1. The reading and approving of the clerk's minutes of the preceding meeting.

2. Petitions, resolutions, remonstrances, bills, accounts and miscellaneous communications.

3. Reports of standing committees, in the following order: 1, Finance; 2, Sanitary, Streets, Improvements and Police; 3, Rules and Ordinances; 4, School, Cemetery and Charities; 5, Fire Protection.

4. Reports of Select Committees.

5. Communications from the Mayor or other executive officer of the corporation and their reference.

6. Action upon ordinances.

7. Unfinished business of previous meeting.

8. Unfinished business generally.

9. Miscellaneous business.

Rule 5. Every petition or other paper shall, previous to its presentation to the council, be so indorsed as to clearly indicate the substance of its contents, and the name of the member presenting it, and it shall immediately be sent to the clerk's table and the clerk shall properly number it.

Rule 6. All reports of committees shall be in writing and shall be filed by the clerk. All special reports shall state the facts, substantially, appearing before the committee making the report.

Rule 7. All resolutions and amendments thereto shall be sent to the clerk's table and be read by the clerk before they shall be in order. All motions and amendments thereto shall likewise be reduced to writing at the request of the presiding officer or other member of the council, and sent to and read by the clerk before debate.

Rule 8. All questions relating to the priority of business shall be decided by the presiding officer without debate.

Rule 9. Motions or resolutions may be withdrawn by the mover at any time before amendment or having been put to vote.

Rule 10. In all cases of the election of officers or committees by the council the same shall be by ballot.

Rule 11. When a member is called to order he shall immediately sit down, and the presiding officer shall decide upon the point of order.

Rule 12. The ayes and nays on any question before the council shall be taken at the call of any of the members.

Rule 13. Any member refusing to vote on any question, unless excused by the council, shall be deemed to be in contempt and shall be liable to censure.

Rule 14. The presiding officer shall decide all questions of order without debate. From his decision an appeal may always be taken by any member, and on such appeal, said officer shall have the right to briefly assign his reasons for his decision, and such appeal can only be sustained by a two-thirds vote of the members present.

Rule 15. No member shall be by the clerk's table while the ayes and nays are being taken or ballots being counted.

Rule 16. After the decision of any question it shall be in order for a member voting in the majority to move a reconsideration of the question, at the same meeting, but at a subsequent meeting any member may make such motion. If a motion to reconsider be lost it shall not be revived without the unanimous consent of the council, and no decision of the council shall be a second time reconsidered without a like leave.

Rule 17. It shall not be in order at any special meeting to proceed to any other business than that for which

the meeting was convened, if two members present shall object.

Rule 18. In all cases of entrance of ordinances, resolutions and motions in the clerk's minutes the name of the mover shall accompany the same.

Rule 19. No member shall absent himself from the council before adjournment without leave of the presiding officer.

Rule 20. In all cases involving points of parliamentary law the latest edition of "Cushing's Manual" shall be the book of reference, and its rules, so far as applicable, shall be the rules of this council.

Rule 21. Unless otherwise specially ordered, all committees of the council shall consist of three members, and shall be appointed by the presiding officer and ratified by the council.

Rule 22. It shall be the duty of each committee to report on every subject referred to them within two weeks from the time of reference, unless the time shall have been extended by the council. All reports adopted by the council shall be entered by the clerk in a journal to be kept for that purpose.

Rule 23. No account, bill or claim of any nature shall be ordered paid at the same meeting of the council at which such bill or claim shall have been presented, nor until having been referred to the finance committee.

Rule 24. It shall be the duty of the President of the council to see that the proceedings of every meeting are properly and promptly recorded by the Clerk; and the record of every meeting shall be signed by the President of the council and attested by the Clerk after their approval.

Rule 25. Any rule of the council may be at any time temporarily suspended, for special reasons, by a two-thirds vote of all the members present; but no permanent alteration shall be made without notice, specifying the object of the change, having been made at a previous meeting.

Rule 26. Every officer whose duty it is made by ordinance, order or resolution of council to report at the regular meetings of the council, shall punctually perform his duty or be fined, at the discretion of the council.

Rule 27. Every ordinance shall receive two readings in council previous to its final passage—once upon the night of its introduction and once at the succeeding regular meeting, when it shall be acted upon. Provided, that, by the unanimous consent of the council, the ordi-

nance may be ordered to the second reading on the night of its introduction and may be passed.

Rule 28. No ordinance shall be introduced except at a regular meeting of council.

Rule 29. In all matters coming before the council, not otherwise provided for, a majority shall govern. In all cases of a tie the president of the council shall have a casting vote.

Rule 30. Whenever the president of the council shall desire to speak or address the council upon any matter, he shall designate some member of the council to take the chair, and he shall leave the same.

Rule 31. No person other than a member shall be allowed to address the council, unless by a unanimous vote of the council, and when such vote is taken the person so permitted to speak shall take his place within the bar of the council.

Rule 32. No communication to the council shall be entertained unless the same be in writing.

Rule 33. Any additional rule or rules may from time to time be made by council.



ORDINANCES

Relating to the Organization of the Municipal Government of the Town of Winter Park, Florida.

ARTICLE I.

ELECTIONS.

SECTION 1. Be it ordained by the council of the Town of Winter Park, Florida, that an annual election of officers shall be held on the first Tuesday in February in each and every year, at which the following officers shall be elected, to-wit: One Mayor, one Clerk ex-officio Treasurer and Tax Assessor, one Marshal ex-officio Collector of Taxes, and on the first Tuesday in February, A. D. 1895, and every two years thereafter, three Aldermen; and on the first Tuesday in February, A. D. 1896, and every two years thereafter, four Aldermen for the term of two years each.

Sec. 2. Be it further ordained that the Mayor shall issue his proclamation announcing said election at least thirty days prior to the day of said election, appointing three judges of election and one clerk of said election; which said proclamation shall be published in a newspaper published in said town, or by posting in three conspicuous places at least thirty days next before the day of election.

Sec. 3. Be it further ordained that the said judges of the election shall count the votes taken at said election for each candidate for each office, make out a list of all those voted for, with the number of votes cast for each, which shall be in words, written at full length, and if any question shall be submitted to an election such certificate shall contain the number of votes cast for and against such question, certify in duplicate as to its correctness, and that said certified lists, under seal, be handed by one of said judges, one to the Clerk of the town of Winter Park and the other to the Mayor.

All elections held to fill vacancies or to decide any question submitted to the electors shall be called and held and returns thereof be made in the same manner and form as above provided.

Sec. 4. Be it further ordained that the council shall meet within three days after the election of town officers, or as soon thereafter as practicable, for the purpose of canvassing the returns of said election and installing the new officers, at which time the officers so installed shall enter upon the discharge of their duties, and continue therein until their successors are duly elected and qualified.

Sec. 5. Be it further ordained that the council, at its first meeting, elect a President from among its members, whose duty it shall be to preside over its deliberations at all meetings, and to act as Mayor pro tem. when the Mayor may be absent or unable to perform his duties by sickness or other disability.

Sec. 6. Be it further ordained that the Mayor may convene the council in special meeting when, in his opinion, business may require it. For which special meeting he shall issue his proclamation in writing, stating the object of said meeting, and shall have each alderman served with a copy of said proclamation at least one day previous to said special meeting, and there shall be no other business transacted at said special meeting save that for which it is called.

Sec. 7. Be it further ordained that if any member of the council shall withdraw or leave the council chamber or place of meeting, while the board is in session, without first having obtained leave of the council, he shall be fined by the council in a sum not to exceed ten dollars.

Sec. 8. Be it further ordained that the President of the council shall sign all ordinances passed by the council, and countersign, in open session of council, all Treasurer's warrants.

Sec. 9. When the President of council is acting as Mayor or absent, a presiding officer of the council shall be elected to fill his place for such time as the said President may be so employed or absent.

ARTICLE II.

MAYOR.

SECTION 10. Be it ordained by the council of the Town of Winter Park, Florida, that it shall be the duty of the Mayor of the Town of Winter Park to see that all ordi-

nances of the Town of Winter Park are faithfully executed.

Sec. 11. Be it further ordained that the Mayor shall have the power to veto any ordinance passed by the council of the Town of Winter Park, and it shall be his duty to either approve or veto any ordinance on or before the next regular meeting of the council after the meeting at which the adoption of such ordinance was had; and when he shall veto any ordinance he shall accompany the same with his reason for so doing in writing.

Sec. 12. Be it further ordained that it shall be the duty of the Mayor to issue his proclamation announcing any regular or special election thirty days prior to any such election.

Sec. 13. Be it further ordained that the Mayor is hereby empowered, by and with the consent of the council, to organize and appoint such police force as may be deemed necessary to insure peace and good order within the municipal limits of said Town of Winter Park.

Sec. 14. Be it further ordained that the Mayor shall issue his mandate, directed to the Marshal, to have brought before him, at such time and place within the corporate limits of the Town of Winter Park as he may designate, any person or persons charged with a breach of any of the ordinances of the Town of Winter Park; and he is authorized to compel the attendance of witnesses, to administer oaths, to inquire into the truth or falsity of the charge and to fix the penalty within the limits prescribed by the laws of the State of Florida and the ordinances of the Town of Winter Park, and to enforce the same.

Sec. 15. Be it further ordained that the Mayor, or in his absence the Mayor pro tem., shall hold his court in the council chamber of the said Town of Winter Park, and that the time for holding said court shall be 10 o'clock a. m., and at such other time as the Mayor may deem necessary for the trial of persons charged with the violation of the ordinances of the Town of Winter Park.

CONTEMPT OF COURT.

Sec. 16. Whoever shall refuse to obey any legal order, mandate or subpoena of the Mayor, or who shall refuse to testify when required by the Mayor so to do, unless he or she is the party charged with crime, shall be held to be guilty of contempt of court; also, any person who shall be guilty of any disorderly behavior or conduct during the sitting of the Mayor's court shall be subject

to punishment for contempt, and shall be punished by fine not exceeding twenty dollars or by imprisonment not exceeding five days.

ARTICLE III.

CLERK OF COUNCIL, EX-OFFICIO TREASURER AND ASSESSOR.

SECTION 17. The Clerk of the Town of Winter Park shall also be the Treasurer and Assessor of Taxes of the Town of Winter Park, and shall receive such compensation for services as may be fixed by the town council annually.

Sec. 18. Be it ordained by the council of the Town of Winter Park that the Clerk of the council shall, before he enters upon the duties of his office, give bond with two or more good and sufficient sureties, to be approved by the council, in such sum as the council shall determine annually by resolution.

Sec. 19. Be it further ordained that the Clerk shall attend all meetings of the council and all Mayor's courts, and shall keep a fair and correct record of their proceedings. He shall also be the custodian of the seal of the town and attest and affix the seal to all official papers requiring said seal. The proceedings of the council, after being read and approved by them, shall be signed by the President and attested by the Clerk.

Sec. 20. Be it further ordained that the Clerk shall keep the following books: 1, A book, or rough sheet of minutes. 2, A book of neat and accurate minutes. 3, A book for recording all licenses. 4, An ordinance book. 5, A docket and book of minutes of the Mayor's court. 6, A book recording non-payment or repudiation of warrants. 7, A book recording all tax sales and redemption of same.

Sec. 21. The Clerk shall draw all warrants on the Treasurer, when ordered to do so by the council, and the same shall be countersigned by the President of the council. He shall keep a voucher for each warrant so drawn on the fund designated by the council, and on no other.

Sec. 22. The Clerk shall keep with the minutes of the proceedings of each meeting a complete and accurate record of accounts allowed, and shall keep a book called a "Register of Warrants," wherein he shall register all warrants drawn on the Treasurer.

Sec. 23. The Clerk may administer an oath to and take the affidavit of any person charging another with

an offence by breach of an ordinance, and may issue a warrant to the Marshal to have the accused person arrested and brought before the Mayor for trial.

Sec. 24. The Treasurer shall keep an account with each separate account provided for in the tax levy for the year, and shall keep an accurate account of all moneys received by him and all moneys disbursed. He shall make monthly reports thereof to the council at its first regular meeting in each month.

Sec. 25. The Treasurer shall pay out no money except on a warrant drawn against him by the Clerk of the council and properly countersigned by the President of the council, with the seal of the town attached thereto. He shall properly cancel all warrants when paid.

Sec. 26. It shall be the duty of the Treasurer to receive all money, or other cash items, which may be paid to him on account of the Town of Winter Park and give his receipt therefor, and the same shall be a fiduciary trust for the Town of Winter Park, and shall be deposited in some bank, approved by the town council, and shall be used for no purpose except in payment of town warrants countersigned by President of council, or the President pro tem., and approved by the council.

Sec. 27. Be it ordained by the town council of the Town of Winter Park that it shall be the duty of the Assessor of Taxes to make a true valuation of property, real and personal, annually for the purposes of taxation; and the total taxes levied upon property by the municipal corporation of the Town of Winter Park, in any one year, shall not exceed one per centum of such valuation, but the valuation of property shall not exceed the last valuation thereof by the State for taxation.

Sec. 28. Be it further ordained that the town council shall sit as a board of equalization on the completion of the assessment roll by the Assessor; that they shall give one week's public notice, and that they then shall sit for two consecutive days, and longer if necessary, and listen to all complaints regarding the assessment thus made. That they shall revise and change such assessment roll as to them seems just and equitable, and that such roll, thus revised and changed, shall be the basis for the levying and collecting of taxes for such year.

ARTICLE IV.

TOWN SOLICITOR.

SECTION 29. Be it ordained by the council of the Town of Winter Park that there shall be an attorney elected by the council, who shall have the title of Town Solicitor, and who shall receive such compensation as may be agreed upon by the council; and it shall be the duty of said Town Solicitor to attend to such business as may be required of him and to give counsel in all cases required of him by the officers of the town.

ARTICLE V.

MARSHAL.

SECTION 30. Be it further ordained by the council of the Town of Winter Park, Florida, that it shall be the duty of the Marshal to make a written statement—sworn to—to the Treasurer of the town on the first Monday in each and every month, showing the amount of money coming into his hands during the month previous and from what sources the same came; and he shall pay over all public funds to the Town Treasurer and take his receipt for same.

Sec. 31. Be it further ordained that the Marshal shall, in addition to such fees as may be allowed to him by the council, receive such salary as shall be agreed upon by the council.

Sec. 32. Be it further ordained that the Marshal shall not leave the limits of the corporation without first having obtained the consent of the Mayor and having an authorized deputy, or deputies, for whose acts he shall be responsible, and the appointment of said deputy, or deputies, shall be with the approval of the Mayor.

Sec. 33. Be it further ordained that the Marshal shall be always on duty to preserve peace and maintain order, and shall be subject to a fine or be expelled by the council, or both, for any neglect of duty.

Sec. 34. Be it further ordained that the Marshal shall give bond with two or more sureties, to be approved by the council, in such sum as the council may determine by resolution annually, conditional upon his accounting for all moneys received by him as said Marshal and paying over the same to the Town Treasurer, as well as for a faithful discharge of all his duties as Marshal.

Sec. 35. Be it further ordained that it shall be the duty of the Marshal to be present at all sessions of the

Mayor's Court, to attend all meetings of the Town Council, and to serve all writs of sommons, warrants and notices issued by the Mayor or Council, and when required by the Mayor shall summon the Aldermen to attend the meetings of the board. Any failure of the Marshal to comply with any of the requirements of this ordinance shall be punished by a fine not to exceed twenty-five dollars, to be imposed by the council.

Sec. 36. Be it further ordained that the Marshal, under the direction of the Mayor and Council, shall be Chief of the Police force of the town, and shall exercise general superintendence over the same, and is hereby made responsible for the good government of the same.

Sec. 37. Be it further ordained that it shall be the duty of the Marshal to arrest instanter and confine in the common jail or calaboose all persons who shall be guilty of disturbing the peace, good order and dignity of the Town of Winter Park, by a violation of any of the ordinances thereof whether such cases come under his own observation, or are reported to him by others. Provided that if practicable, he shall first apply to the Mayor for his warrant therefor, in which warrant the offence alleged shall be specifically charged. But if not practicable then the Marshal or his deputy shall make said arrest without a warrant, and said warrant shall be issued immediately after the arrest and confinement of the offender.

Sec. 38. Be it further ordained that it shall be the duty of the Marshal to confine all persons arrested by him in the common jail. Provided that the Marshal shall permit any person or persons arrested by him to give bond to be approved by the Mayor, and that he shall be allowed forty cents per day for the feeding and custody of all persons in his charge, which sum is to be paid by the prisoner before he is discharged in case of conviction. But in case of acquittal the town shall be liable for the cost of feeding.

ARTICLE VI.

VACANCIES IN OFFICE.

SECTION 39. Be it ordained by the Council of the Town of Winter Park, that in the event of any vacancy occurring in any municipal office of the town, except that of Mayor and Aldermen, by reason of sickness, death, suspension or expulsion of any officer or other cause, such vacancies shall be filled by the Council, who shall

elect or appoint a person to such vacancy by a two-thirds vote of said council. The person so elected to fill such vacancy shall hold the office to which he is thus elected or appointed until the return to duty of the regular incumbent to office, if such incumbent is temporarily absent by reason of sickness, suspension, absence from the town or other temporary cause. And in case of a permanent vacancy by reason of death, resignation, expulsion from office of the incumbent or other permanent cause, then the election or appointment shall be for the remainder of such official term.

Sec. 40. In case of a temporary absence from a meeting of the council of the Clerk, the council may appoint a Deputy Clerk to act for that occasion. And in case of the absence or disability temporarily of the Clerk for a longer period, he may designate a person to act as a Deputy Clerk by the advice and consent of the council, to act during such temporary absence or disability such deputy shall be duly sworn in manner and form to the oath taken by the Clerk, and his acts shall be valid and binding, within the scope of his duties, in all respects, as the acts of the Clerk himself. In case of failure of the Clerk to make such nomination the council may do so.

Sec. 41. When a Deputy Clerk is duly appointed to supply in the absence of the regular Clerk, such deputy shall give a bond in like manner as the Clerk, to be approved by the council, or may indorse in writing upon said bond their assent to such deputy in the place of the Clerk, and their agreement that such bond shall be valid for all his acts as such deputy, and that all the acts of such deputy shall be considered the acts of the Clerk himself.

ARTICLE VII.

DUTIES OF CITY COUNCIL.

SECTION 42. Be it ordained by the council of the Town of Winter Park that the president of the council shall, at its first meeting, appoint the following standing committees, composed of three members each:

1. Committee on Finance.
2. Committee on Sanitary, Streets, Police and Improvements.
3. Rules and Ordinances.
4. School, Cemetery and Charities.
5. Fire Protection.

Sec. 43. Be it further ordained that it shall be the duty of the committee on finance to examine into and report to council at least once in every three months the condition of the finances of the town, and the correctness and manner in which the accounts and books of the various officers are kept; to examine into and report to the council whether any accounts against the town have been paid or not, and that this may be done, all claims against the town shall be referred to said committee before action is taken thereon by the council.

Sec. 44. Be it further ordained that it shall be the duty of the committee on sanitary, streets, police and Improvements to have a meeting at least once a month and consider the question of improving the town and to report to the meetings of the council the result of their deliberations. All ordinances and questions in relation to improvements shall be referred to said committee before action is taken thereon by the council.

Sec. 45. Be it further ordained that it shall be the duty of the committee on Rules and Ordinances at the second meeting of the council, or as soon thereafter as may be practicable, to prepare rules for the government of the council and ordinances for the government of the town and to submit the same to the town council for consideration. All Ordinances of a general nature not referable to another committee shall be referred to said committee before action is taken thereon by the council.

Sec. 46. Be it further ordained that it shall be the duty of the committee on Charities, School and Cemetery to see that no true case of charity suffers; to manage the educational interest of the town; to have charge of and control the cemetery, and all questions affecting these interests, shall be referred to this committee before action is taken thereon by the council.

Sec. 47. Be it ordained by the council of the Town of Winter Park that it shall be the duty of the Board of Aldermen to make such by-laws and rules for their own guidance and government as they may deem expedient, and to enforce the same by fine or penalty, and to compel the attendance of its members, and two-thirds of the council may expel any member of the same or any officer of the town for disorderly behavior or misconduct in office.

Sec. 48. Be it further ordained that it shall be the duty of the council of the Town of Winter Park to establish rules, regulations and fees for the registration of voters, for the annual election of municipal officers and

for the filling of all vacancies which may occur in the offices of the said town.

Sec. 49. Be it further ordained that it shall be the duty of the town council to meet within three days after any annual or special election to canvas the returns of such election, and to certify as to who are elected to fill the offices voted for at such election.

Sec. 50. Be it further ordained that it shall be the duty of the town council to pass such laws and ordinances as may be expedient and necessary for the preservation of the public peace and morals, for the suppression of riots and disorderly assemblies, and for the order and government of the town, and to impose such penalties as may be needed to carry the same into effect.

Sec. 51. The town council shall not make appropriations in any one year for a greater amount than is allowed to be collected by taxation for that year. It shall be unlawful for any officer of the town to issue a warrant on the Treasurer, except in payment of an appropriation. The approval of a town voucher by the town council, as evidenced by the signatures of at least one member of the Finance Committee and the president of council, audited by the Clerk, shall constitute an appropriation.

Sec. 52. The Town Treasurer shall enter in a book, to be kept for that purpose, the fact of the refusal to pay or non-payment of any warrant which may be presented to him, as such Treasurer, and to include in such entry the description of the warrant, by whom presented, the date of presentation and his reason for such refusal or non-payment; and he shall at the request of the person presenting the same endorse on the back of such warrant the fact of such refusal or non-payment and reason therefor; and his book so kept shall be open to inspection of all citizens.

Sec. 53. Be it further ordained that if at any time the Mayor shall veto any ordinance adopted by the town council, the council shall upon receipt of such veto message proceed to vote upon the same, and the vote shall be taken as follows: "Shall the said ordinance be passed, the veto of the Mayor to the contrary notwithstanding." And if two-thirds of the members present shall vote in the affirmative, such ordinance shall become a law.

Sec. 54. Be it further ordained that it shall be the duty of the town council to regulate, improve, alter and extend streets and open the same, as well as lanes and avenues; to prohibit encroachments thereon, and to

cause obstructions, decayed buildings and ruins to be removed; to construct drains and sewers, and to make such rules and ordinances governing the same as they may deem necessary.

Sec. 55. Be it further ordained that it shall be the duty of the town council to regulate and control the grading, construction and repair of streets, improvements and sidewalks.

Sec. 56. Be it further ordained that it shall be the duty of the town council to pass such ordinances to prevent and abate nuisances and to remove accumulations of trash, filth and water as they may deem necessary for the preservation of the public health.

Sec. 57. Be it further ordained by the council of the Town of Winter Park that it shall be the duty of the town council to pass such ordinances as may be necessary to regulate the construction and control of public bridges and buildings; to make and sink wells and erect pumps to guard against fire, and to provide for the lighting of the town; to enclose and improve such public parks as may adorn the town; to improve and beautify the public cemetery, and all other such acts as they may deem necessary for the general interest and improvement of the town.

ARTICLE VIII.

COURTS AND TRIALS.

SECTION 58. Be it ordained by the council of the Town of Winter Park that any person who is charged, at the instance of another, with any offense against the ordinances of the Town of Winter Park shall be informed by a summons in writing, served on him, of the nature and cause of the accusation; shall have compulsory process for obtaining witnesses in his behalf; shall have a speedy trial before the Mayor; shall be confronted with the witnesses against him and have the privilege of cross-examination, as in the Circuit Court of Florida. The same rules as to the examination of witnesses and the evidence adduced as obtained in said courts, so far as they are applicable in examining courts, shall be applicable in the trial of cases before the Mayor's court. The party accused shall have the privilege of defending himself by counsel or himself, or by both, as to him may seem proper.

Sec. 59. Be it further ordained that it shall be the duty of the Mayor, in all cases when complaint is made

under oath of any violation of any of the ordinances and laws of the Town of Winter Park to him, to issue a warrant, directed to the Marshal or any of his deputies, requiring him or them to arrest the offender or offenders and to bring them before the Mayor at his next court, which mandate shall be in the name of the State of Florida and Town of Winter Park; shall name the offense and time and place of trial, bear teste in the name of and be signed by the Mayor, and the same shall be executed by arresting of the accused.

Sec. 60. Be it further ordained that the Clerk shall issue subpoenas for the attendance of all witnesses that may be required before the Mayor's court.

Sec. 61. Be it further ordained that if witnesses duly served shall fail to appear before the Mayor's court, said Mayor shall have authority to issue attachments for them and to punish them for failure to attend said court by a fine not to exceed twenty-five dollars.

Sec. 62. Be it further ordained that when the ends of justice may require it the Mayor shall have power to continue cases in his sound discretion under the rules governing the circuit courts of the State of Florida.

Sec. 63. Be it further ordained that the Clerk shall issue an execution instantter when any fine is imposed by the Mayor to be levied upon the goods and chattels of the person or persons fined, which execution shall bear teste in the name of the Mayor and be signed officially by the Clerk and directed to the Marshal of the Town of Winter Park, Florida.

Sec. 64. Be it further ordained that any male person convicted of violating any of the ordinances of said town and upon whom a fine may be inflicted, who shall not be able to pay such fine and costs, shall be made to work for said town and be allowed fifty cents per day until such fine and costs are paid.

Sec. 65. Be it further ordained that all witnesses in any cause before the Mayor's court shall be allowed as compensation for each day's attendance fifty cents, such fee to be taxed as costs against the defendant, in case of conviction, and be collected by the Marshal, and in case of acquittal to be taxed against the town. Also that there shall be taxed as costs in all cases of conviction of violation of a town ordinance the fees of the Clerk and Marshal.

ARTICLE IX.

PRECAUTION AGAINST FIRE.

SECTION. 66. Be it ordained by the Council of the Town of Winter Park that no person occupying a house or dwelling in the corporate limits of the Town of Winter Park shall be permitted to use a stove pipe as a flue, but they may use stone pipe or brick flues from the ceiling upward. Any person violating this ordinance shall be fined not exceeding twenty dollars.

Sec. 67. Be it further ordained that no merchant shall sell, weigh, draw, or in any manner expose for sale any powder, kerosene oil, burning fluids, turpentine or any other combustible or explosive material after candle light. Any person violating this ordinance shall be fined not exceeding twenty dollars.

Sec. 68. Be it further ordained that any person guilty of throwing fire balls, crackers, rockets or other fire works within the corporate limits of the Town of Winter Park, and any person who shall discharge any gun, pistol or other fire arm within said corporate limits without a special permit of the Mayor, shall be arrested by the Marshal and shall, upon conviction, be fined not less than one dollar nor more than twenty-five dollars.

ARTICLE X.

HEALTH.

SECTION 69. Be it ordained by the Council of the Town of Winter Park, that the Mayor and council of said Town of Winter Park shall constitute the Board of Health of said town.

Sec. 70. Be it further ordained that all privies in the Town of Winter Park shall be cleaned out at least once a month; that any person violating this ordinance shall be fined not less than one dollar nor more than five dollars.

Sec. 71. Be it further ordained that it shall be the duty of the Marshal to make monthly inspections of all privies, and to see that this ordinance is enforced.

Sec. 72. Be it further ordained that no person shall throw on any street or alley, or on his own or the lot of another, any decayed flesh, vegetables or other offensive matter calculated to annoy citizens or endanger health. Any person violating this ordinance shall be fined not exceeding ten dollars.

Sec. 73. Be it further ordained that no hog or pig pen shall be kept within the corporate limits of the Town of Winter Park without a special permit from the council of said town. Any person violating this ordinance shall be fined not exceeding ten dollars.

Sec. 74. Be it further ordained that the Mayor or Council, upon the recommendation of the Board of Health, shall have full power to cause the owners of lots within the corporate limits of the Town of Winter Park to drain or fill up the same upon the level of the street or alley upon which said lots are situated, and to enforce the same by penalty.

ARTICLE XI.

STREETS AND SIDEWALKS.

SECTION 75. Be it ordained by the council of the Town of Winter Park, Florida, that it shall be the duty of the town council to regulate, improve, alter, extend and open streets, lanes and avenues, and to cause obstructions, decayed buildings and ruins to be removed, to construct drains and sewers and to make to the parties injured thereby reasonable compensation, and to charge upon those benefitted reasonable assessments as may be agreed upon by the council and the said parties; in case no agreement can be made the council shall appoint five discreet persons, holders of real estate in said town, to ascertain and fix on the one hand a fair and equitable assessment and on the other a just compensation, and the assessment shall be a lien on the real estate improved and assessed, and that every person who enters his particular drain into the main drain or common sewer and receives a benefit thereby from draining his land, shall pay to the town his proportionate part of making or repairing the same.

Sec. 76. Be it further ordained by the Council of the Town of Winter Park that all streets to be hereafter laid out shall be at least fifty feet wide, provided however that alleys may be established, the width of which may be regulated by the council.

Sec. 77. Be it ordained by the Council of the Town of Winter Park that the council shall from time to time, as they may deem proper, pass resolutions requiring the owners of real estate within the corporate limits of Winter Park, to construct uniform and substantial sidewalks around their several lots and to keep the same in repair. The width, grade and construction of the sidewalks on

each street to be regulated by the council and the inner line of sidewalks shall in all cases be the outer line of the street, such as may have been heretofore established by the surveyors in platting said Town of Winter Park.

Sec. 78. Upon the failure of any person so notified to construct said sidewalk, within the time and in the manner prescribed by said resolution, the council shall have the same done and the charges and costs thereof shall be a lien against said lot, to be enforced by said town in the manner allowed by law.

Sec. 79. After the passage of this ordinance no sidewalks shall be constructed on any of the public streets within the corporate limits of said town of other material than cement, concrete, brick, clay or such material as may be approved by the council, nor shall such sidewalks be built of a less width than five feet.

ARTICLE XII.

PEACE, GOOD ORDER AND MORALS.

SECTION 80. Be it ordained by the town council of the Town of Winter Park that whoever shall in this town wilfully disturb the peace of others by violent, tumultuous or offensive conduct or carriage or by loud and unusual noise, or by unseemly profane, obscene or offensive language, calculated to provoke a breach of the peace, or by assaulting, striking or fighting another, and whoever shall in the town permit any such conduct in or upon any house or premises owned or possessed by him or under his management or control, so that others in the vicinity are disturbed thereby shall, upon conviction, be fined in a sum not exceeding fifty dollars, or be imprisoned for a period of not more than twenty days at hard labor, or both.

Sec. 81. Be it further ordained that whoever shall, in this town, disturb any congregation or assembly met for religious worship by making any noise or by rude and indecent behavior or profane discourse when in a place of worship, or so near to the same as to disturb the order and solemnity of the meeting shall, upon conviction, be fined in a sum of not exceeding fifty dollars, or be imprisoned for a period of not greater than twenty days at hard labor, or both, at the discretion of the Mayor.

Sec. 82. Be it further ordained that whoever shall in this town be found in a state of intoxication in any highway, thoroughfare or public place shall, upon conviction, be fined not less than five nor more than fifty

dollars, or be imprisoned not less than ten nor more than twenty days at hard labor under the direction of the council, or both fine and imprisonment.

Sec. 83. Be it further ordained that whoever shall in any public place in this town be found in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent exposure of his or her person, or be guilty of any indecent or lewd behavior, or shall exhibit, sell or offer to sell any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation shall, upon conviction of any of said offences, be fined in a sum of not less than five nor more than fifty dollars or be imprisoned at hard labor, under the direction of the council, for not more than twenty days

Sec. 84. Be it further ordained that whoever shall bathe, wash or swim in any lake, pond or pool in this town within the hours of daylight, being naked or insufficiently clothed to prevent improper exposure of his or her person, shall, upon conviction, be fined not less than five nor more than fifty dollars, or be imprisoned at hard labor for not more than twenty days.

Sec. 85. Be it further ordained that whoever shall in this town set up or keep any gambling device, at which any game of chance shall be played for money or property, or anything representing money or property, or who shall keep a place for or allow gambling of any kind carried on or about his premises, shall, upon conviction, be fined not less than twenty nor more than fifty dollars, or be imprisoned for not more than thirty days at hard labor, under the direction of the town council, or both fine and imprisonment.

Sec. 86. Be it further ordained that any person guilty of keeping a bawdy house in this town shall, on conviction, be fined in a sum of not less than ten nor more than fifty dollars, or be imprisoned for not less than ten nor more than thirty days at hard labor, under the direction of the council, or by both fine and imprisonment.

Sec. 87. Be it further ordained that a bawdy house is a house kept for purposes of prostitution and is visited by the public for such purposes. In all prosecutions for keeping a bawdy house, proof of the general reputation of the house in question in the neighborhood in which the same is located, shall be sufficient to establish its character as a bawdy house.

Sec. 88. Be it further ordained that any owner or

agent of such owner of any house or houses, who may rent or cause to be rented or occupy or allow to be occupied any house or portion of a house to be used as a bawdy house in the Town of Winter Park shall, upon conviction thereof, be fined in a sum of not more than fifty dollars or be imprisoned in calaboose for not more than thirty days at hard labor, under the direction of the council, or by both such fine and imprisonment, and any owner or agent of such owner of any house or houses in said town, who shall suffer or permit any woman of ill-fame to occupy any house or houses within said town for the purpose of fornication or adultery for the space of two days after notice thereof by the Marshal or other officer of the town shall, upon conviction thereof, be subject to all the pains and penalties above specified.

Sec. 89. Be it further ordained that any person being the owner or occupant of a house of illfame, who shall continue to allow the same for two days after the same shall have been declared to be such, on conviction thereof, shall be fined in a sum not exceeding fifty dollars or be imprisoned for a period of not more than twenty days in the calaboose at hard labor, under the direction of council, and the Marshal or other officer shall, by order of the Mayor or Council, abate such nuisance by demolishing, tearing down or closing up such house or houses.

Sec. 90. Be it further ordained that any person or persons who shall occupy or allow to be occupied any bawdy house or portion of a bawdy house in the Town of Winter Park shall, upon conviction thereof, pay a fine of not exceeding fifty dollars or be imprisoned in the calaboose for not more than twenty days at hard labor, or both such fine and imprisonment at the discretion of the court.

Sec. 91. Be it further ordained that whenever any house or houses shall be adjudged to be a house or houses of illfame or bawdy house or houses and the occupant or occupants is or are not the owners thereof, it shall be the duty of the Marshal or his deputy to eject the tenant or tenants therefrom, and he shall be allowed a fee of ten dollars for such services, collectable out of the owner or owners of such house or houses, in case the same cannot be collected from the tenant or tenants upon execution.

Sec. 92. Be it further ordained that any person or persons who shall permit parties of disorderly character to assemble in his, her or their house or houses within the corporate limits of the Town of Winter Park to the

disturbance of the citizens residing in his, her or their neighborhood, shall be guilty of keeping a disorderly house and shall, upon conviction, be fined not exceeding fifty dollars or be imprisoned in the calaboose at hard labor, under the direction of the council, for not more than twenty days, or both, in the discretion of the court.

Sec. 93. Be it further ordained that any retailer of spirituous or fermented liquors, who shall keep open door after the hour of eleven o'clock at night for the purpose of vending the same or other intoxicating liquors shall, upon conviction, be fined not less than five nor more than fifty dollars or be imprisoned in the calaboose at hard labor, under the direction of the council, for not less than five nor more than thirty days or both such fine and imprisonment at the discretion of the court.

Sec. 94. Be it further ordained that any merchant, or billiard table or ten pin alley keeper, or dealer of any kind, who shall keep open doors on the Sabbath day or trade or traffic on that day, except keepers of drug stores, who shall be allowed to keep open for the purpose of selling drugs and medicines only, in this town shall, upon conviction, be fined not less than five nor more than fifty dollars or be imprisoned in the calaboose for not less than five days nor more than twenty days at hard labor, under the direction of the council, or both such fine and imprisonment in the discretion of the court.

Sec. 95. Be it further ordained that any person who shall in this town keep open a room or saloon containing any billiard table or ten pin alley after the hour of eleven o'clock at night, or permit persons to assemble or remain in said saloons, billiard or ten pin alley room for the purpose of playing or rolling on said tables or alleys after the hour of eleven o'clock at night, shall, upon conviction, be fined not less than five nor more than fifty dollars or imprisoned in the calaboose not less than ten or more than thirty days at hard labor.

Sec. 96. Be it further ordained that any person guilty of reckless, fast driving or running of any animal upon the streets of Winter Park, or of breaking any horse to harness or saddle in said streets shall, upon conviction thereof, be fined not less than five nor more than twenty-five dollars or imprisonment in calaboose at hard labor, under the direction of the council, for not more than twenty days or both fine and imprisonment.

Sec. 97. Be it further ordained that any person guilty of desecrating or despoiling the public cemetery or any church or other property set apart for public use

or held for benevolent or charitable purposes, or who shall in any way deface or post bills upon any private property shall, upon conviction, be fined in a sum of not less than five nor more than twenty five dollars or be imprisoned at hard labor, under the direction of the council, for not more than twenty days or both such fine and imprisonment.

Sec. 98. Be it further ordained that any person or persons who shall hitch his, her or their horse or horses, mule or mules to any shade tree, awning post, veranda post, lamp post or any fence shall, upon conviction, be fined in a sum not less than one or more than twenty dollars.

Sec. 99. Whoever shall cut down, tear up, cut, bruise or otherwise injure any shade tree within the corporate limits of the town, shall be punished by fine of not more than twenty-five dollars or by imprisonment not more than ten days or both.

Sec. 100. No horse, mule, ass or other animal shall be hitched, ridden or allowed to stand on any of the sidewalks of the town, and any person violating the provisions of this section shall be punished by fine not exceeding five dollars or imprisoned not more than five days.

Sec. 101. Be it ordained by the town council of the Town of Winter Park that any person driving any horse, team, cattle, wagon, buggy or other vehicle across any sidewalk within the town limits shall be liable to a fine of five dollars for each offence.

Sec. 102. Any person, except railroad employes and passengers on departing trains, found jumping on or off trains while in motion shall be fined not more than five dollars or imprisoned not more than five days.

Sec. 103. Rogues and vagabonds, idle and dissolute persons who go about begging, persons who play at swindling games, common nightwalkers, pilferers and lewd, wanton and lascivious persons in speech and behavior shall be punished by fine not exceeding twenty-five dollars or imprisonment not exceeding ten days.

Sec. 104. Be it further ordained that any person or persons who shall stand or gather upon any sidewalk in the Town of Winter Park, in such a manner as to obstruct the passage of persons along such sidewalk shall, upon conviction, be fined in the sum of five dollars or be imprisoned in the calaboose for five days at hard labor.

Sec. 105. Be it further ordained that any person or persons who shall within the corporate limits of the

Town of Winter Park play at any keno or pool table, wheel of fortune or any other game of chance for money or other valuable things shall, upon conviction therefor, be fined in a sum of not more than fifty dollars or be imprisoned in calaboose at hard labor for not more than twenty days or by both such fine and imprisonment.

Sec. 106. Be it further ordained that any person other than the owner or agent of the owner, who shall be caught sleeping in any unfinished building, privy or other out house in the Town of Winter Park without having first obtained the consent of the owner of such unfinished building, out house or privy shall, upon conviction, be fined in a sum not exceeding ten dollars or by imprisonment at hard labor not exceeding ten days.

Sec. 107. It shall be unlawful for any person to permit the accumulation of trash, filth, rubbish, any excessive growth of weeds and other noxious plants, or any offensive substance whatsoever to remain on his or her enclosed or unenclosed lot or yard, which may cause disease or effect the health of the town. Should any person violate this ordinance he or she shall be notified by the Mayor or Marshal to remove from said lot or yard within twenty-four hours all such offensive substances, and upon failure so to do he or she shall be punished by fine of not more than fifty dollars or imprisoned not more than ten days or both. Whoever shall fail or refuse to obey any sanitary ordinance of the town shall be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding ten days or both.

Sec. 108. Whoever refuses or neglects to render the Marshal or Deputy Marshals all assistance in the execution of their duty when called on, not being physically incapacitated, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding ten days or both.

Sec. 109. Whoever is concerned in causing or making a bonfire within ten rods of any house or building shall be punished by fine not exceeding ten dollars, or by imprisonment not exceeding ten days.

Sec. 110. Be it further ordained that no person shall keep open any barber shop in the Town of Winter Park during the Sabbath day. Any person or persons violating this ordinance shall be fined in a sum not less than five dollars nor more than twenty-five dollars or be imprisoned not less five nor more than twenty days at hard labor at the discretion of the court.

Sec. 111. Be it further ordained that from and after the adoption of this ordinance, any person carrying or having upon his or her person any weapon commonly known as "slung shot" within the corporate limits of the Town of Winter Park shall be arrested, and upon conviction thereof, shall be fined in a sum not less than one dollar and not more than ten dollars.

Sec. 112. Be it further ordained that any person who shall use any "slung shot" and throw thereby any missile in the corporate limits of the Town of Winter Park shall be arrested, and upon conviction thereof, shall be fined in a sum not less than one dollar nor more than ten dollars.

Sec. 113. Be it ordained by the town council of the Town of Winter Park that no person shall shoot, trap or in any other manner kill any birds, alligators or wild game of any kind within the corporate limits of the Town of Winter Park. Any person violating this ordinance shall be fined in a sum not exceeding twenty-five dollars or by imprisonment not exceeding ten days or both.

Sec. 114. Be it further ordained by the town council of the Town of Winter Park that no person shall fire off any gun or pistol within the corporate limits of the Town of Winter Park. Any person violating this ordinance shall be fined in a sum not exceeding ten dollars or by imprisonment not exceeding ten days or both.

Sec. 115. Unwholesome Provisions. It shall be unlawful for any person to offer for sale within the corporate limits of the Town of Winter Park any animal or part of any animal that may have been sick, diseased or unwholesome, which may have died from disease or accident, or any fish, vegetables, fruits or any other article of food not fresh, sound and wholesome; and it shall be the duty of the Marshal or his deputies to report to the Mayor any violation of this section. Any person convicted of such offence shall be fined not exceeding fifty dollars or imprisoned not exceeding twenty days or both.

Sec. 116. Be it ordained by the town council of the Town of Winter Park that no "barbed wire" shall be used for fencing, nor shall any of said barbed wire be used in repairing any fences now standing within the territory bounded by Pennsylvania avenue on the west, Webster avenue on the north, Lake Osceola, the Canal and Lake Virginia on the east, and Kentucky avenue on the south.

Sec. 117. Be it ordained by the town council of the Town of Winter Park that any person other than the owner or except he shall have permission from the owner, who shall be found guilty of untying or loosing a boat of any kind whatsoever, or of breaking or tampering with the lock, chain or rope with which it is hitched to any wharf or landing within the corporate limits of the town, or whoever shall break, destroy or tamper with either the oars, oarlocks, seats, cushions or anything belonging to the boat or contained therein, shall be fined in a sum not to exceed twenty-five dollars for each offence.

Sec. 118. Be it further ordained that any person other than the owner, or except he shall have permission of the owner, who shall be found guilty of untying or loosing a horse or horses, mule or mules, or any sort of domestic animal or of breaking or tampering with the chain, rope or halter with which said animal or animals may be tied, or who shall be found guilty of meddling or tampering with any part of a vehicle to which said animal or animals may be hitched or with any of the contents of said vehicle, shall be fined in a sum not to exceed twenty-five dollars for each offence.

Sec. 119. Be it ordained by the town council of the Town of Winter Park that no person be permitted to ride a bicycle on any sidewalk within the corporate limits of the Town of Winter Park after dark. Any person violating this ordinance after being personally notified by the Marshal or one of his deputies, shall be fined in a sum not less than five dollars nor more than twenty-five dollars, in default of which shall be confined in calaboose or common jail not exceeding twenty days.

Sec. 120. That all gates opening on any street or alley in this town, which may be constructed and hung from and after the passage of this ordinance, shall be hung so as to swing inward and not outward over any part of the street or sidewalk.

Sec. 121. Any violation of the foregoing section shall subject the offender, whether the owner, agent or occupant of the property, to a fine not more than ten dollars and not less than one dollar, and for every days continuance to keep and maintain a gate in violation of this ordinance after the offender has been once complained of and fined shall be regarded as an additional violation of this ordinance.

Sec. 122. A physician who has attended a person during his last illness, shall, after the decease of

such person, forthwith furnish the Town Clerk, for registration, a certificate of the duration of the last sickness; the disease of which the person died, and the date of the decease as nearly as he can state the same. If a physician refuses or neglects to make such certificate he shall, upon conviction be fined not exceeding fifty dollars.

Sec. 123. Every sexton, undertaker or superintendent of burials having charge of the funeral rites preliminary to the interment of the human body shall obtain and return to the Town Clerk for record the following facts concerning the deceased: The date of death; the name of the deceased; the sex; the color; the condition, whether single, widowed or married; the age; the residence; how long a resident of the town; the occupation; the place of death; the place of birth; the disease or cause of death; the place of burial and date of record. Any such person refusing or failing to make such return, shall, upon conviction, be fined not exceeding fifty dollars.

Sec. 124. No human body shall be buried or removed from the town until a proper certificate has been given by the Town Clerk to the undertaker, sexton or other person performing the burial or removal of the body.

Sec. 125. Such certificate shall state that the facts required by Section 123 have been returned and recorded, and the clerk shall not give such certificate of burial permit until the certificate of the cause of death has been obtained from the physician, if any in attendance at the last sickness of the deceased, and placed in the hands of said Town Clerk.

ARTICLE XIII.

TAX COLLECTOR.

SECTION 126. Be it ordained by the council of the Town of Winter Park that it shall be the duty of the Tax Collector to collect all taxes levied and assessed upon the real estate and personal property by the said Town of Winter Park, as well as other taxes assessed under the general revenue act. That it shall be the duty of the said Tax Collector to make a written statement sworn to, to the Town Treasurer on the first Monday in each and every month, showing amount of money coming into his hands the month previous and from what

sources the same came, and he shall pay over all public funds to the Town Treasurer as often as once a week, taking his receipt therefor.

Sec. 127. Be it further ordained that the Tax Collector shall receive such fees as shall be agreed upon by the council.

Sec. 128. Be it further ordained that the Tax Collector shall not leave the limits of the corporation for the space of more than one week without leaving an authorized deputy.

Sec. 129. Be it further ordained that the Tax Collector shall give bond with two or more sufficient sureties to be approved by the council in such sum as the council shall determine by resolution annually, conditioned upon his accounting for and paying over to the Town Treasurer all moneys that come into his hands as said Tax Collector and for the faithful performance of his duties as Tax Collector.

ARTICLE XIV.

RENEWUE.

SECTION 130. Be it ordained by the Council of the Town of Winter Park that no person shall engage in or manage any business, profession occupation, for which a State license is required or that the laws of the State of Florida allow to be imposed within the Town of Winter Park, unless a town license shall have been procured from the Tax Collector, which license shall be issued to each person on the receipt of the amount which the town is allowed to receive by the laws of the State of Florida, together with the Town Clerk's fee of twenty-five cents for each license, and shall be signed by the Tax Collector and the Town Clerk.

Sec. 131. All property, real and personal, in this town not expressly exempted by laws of the State, shall be subject to taxation in the manner provided by ordinance.

Sec. 132. Between the first day of August and the first Monday in September in each year the Assessor shall ascertain by diligent inquiry all taxable property, real and personal, within the limits of the town and the owner thereof, on the first day of January, and shall make out duplicate assessment rolls of all such taxable property. The assessment of personal property shall be made separate from the assessment of real estate.

The assessment rolls shall be prepared in conformity with the law governing State and County assessments so far as the same may apply.

The council shall have full power to equalize the assessment of the property in the town and for that purpose may raise or lower the value fixed by the Assessor, keeping within the valuation prescribed by the law of the State.

Sec. 133. The Assessor shall complete the assessment rolls of the town on or before the second Monday in September in every year; on which day such Assessor shall meet with the town council at the council chamber for the purpose of reviewing and equalizing the assessment, and they may continue in session for that purpose for two days and longer if necessary. Should the council increase the value fixed by the Assessor of any property, due notice thereof shall be given the owner or agent of such property, if a resident and known, at least fifteen days before the day on which the council will be in session to hear any reasons as such person may desire to give why the valuation fixed by the council should be reduced.

The council shall meet on the first Monday in October of each year for the purpose of hearing complaints from the owners or agents of any property the value of which shall have been raised by them, and for that purpose the council may continue in session as long as may be necessary.

Sec. 134. On the first Thursday of October in each year the council shall meet to determine the amount to be raised by taxation for municipal purposes, and shall fix and determine the rate of taxation for the current year.

Sec. 135. It shall be the duty of the Assessor, immediately after the assessment of the town has been reviewed and equalized by the council and the amount to be raised for municipal purposes determined, to calculate and carry out the several amounts of such taxes in separate columns prepared for that purpose in the assessment roll, setting opposite the aggregate sum set down as the valuation of real and personal estate, the respective sums assessed as taxes thereon in dollars and cents and add up the columns of valuations and amounts of taxes, and make therein such recapitulatory tables as may be necessary to determine the important facts in relation to the assessment. And the said Assessor shall make a copy of said assessment roll when thus com-

and for that purpose shall be required to give at least ten days' notice of the time, when and place where he may be found and the time when taxes are due. Said notice shall be given by advertisement in a newspaper published in the town for two consecutive weeks or by posting in three of the most public places in said town.

All taxes shall be due and payable after the first Monday in November of each and every year, and the Collector is hereby vested with the power and it shall be his duty to collect by levy and sale of the goods and chattels, lands and tenements so assessed, all taxes that may remain unpaid on the first Monday of April.

Sec. 138. It shall be the duty of the Collector to proceed substantially in the same manner in the collection of taxes and the sale of real and personal property for non-payment of taxes, as by law provided for State Tax Collectors, and for taxes due by any railroad or telegraph company he may levy upon and sell any property within the corporate limits of the town belonging to such company other than land, railroad track or telegraph line.

Sec. 139. If the taxes upon any real estate shall not be paid before the first day of April of any year the Collector shall advertise and sell in the manner following: He shall make out a statement of all such real estate, specifying the amount due on each parcel, together with the cost of advertising and expense of sale, in the same order in which the land was assessed, and such list shall be published for four successive weeks in some newspaper published in the town; if there be no such newspaper published in the town, then by posting in three public places in the town, the charges for same, whether published in newspaper or posted, shall be twenty cents per line for the four times. A copy of the advertisement or posted notice shall be recorded in the County Clerk's office within ten days after said sale. All such sales shall commence on the regular sale day prescribed by law and may be continued from day to day.

The publisher of any newspaper publishing such notice shall forward a copy of each number of his paper containing such notice to the Tax Collector and shall make an affidavit, setting forth a copy of such notice, with date of and number of insertions, sworn to and subscribed before some officer authorized to administer oaths, or if posted the same shall be witnessed by two reliable persons from whom an affidavit shall be taken in same form, and said affidavit shall be recorded in the

office of County Clerk with the advertisement of sale, and after recording shall be returned to the Collector.

Sec. 140. On the day designated in the notice of sale at 12 o'clock, noon, the Tax Collector shall commence the sale of those lands on which taxes have not been paid as aforesaid, and shall continue the same from day to day until so much of each parcel thereof shall be sold as shall be sufficient to pay the taxes, cost and charges thereon; and in case there are no bidders, the whole tract shall be bid off by the Collector for the town; but the Collector must offer all of said land as assessed. The Tax Collector shall require immediate payment by any person to whom any parcel of such land may be struck off. The Tax Collector shall give to the purchaser a certificate of such sale, describing the lands purchased and the amount paid therefor. Any such certificate shall not be transferred or assigned by the person to whom the same is issued until two years from its date, when it can be assigned by the party to whom it was originally issued or in case of his death by his legal representative.

Sec. 141. Immediately after any tax sale the Tax Collector shall make out a list in triplicate of all the lands sold for taxes, showing date of sales, number of each certificate, name of the owner as returned, a description of the land sold, the name of the purchaser and the amount for which sale was made, and the Collector shall append to each of said lists a certificate, setting fourth the fact that such sale was made in accordance with law. One of such lists shall be retained by the Collector and one recorded in the office of the County Clerk; the other, together with the certificates, shall be delivered to the Town Clerk who shall enter said list in a book, kept for that purpose, in the form in which said lands are assessed.

Sec. 142. List to be posted. It shall be the duty of the Town Clerk, within one year after which such certificates have been delivered to him, to have made out and posted at the door of the council chamber in the town a list of all the lands which have been certified to the town by the Tax Collector eliminating from said list all lands redeemed or not subject to taxation.

Sec. 143. Redemption of lands. Any person, agent, creditor or other person having an interest therein, claiming any of the lands or part thereof so certified, at any time within two years after the closing of the tax books by the Collector as therein provided, may redeem

said lands or any part thereof by making affidavit that he or she is the owner or agent, creditor or other person having an interest therein and paying to the Clerk the amount of taxes due upon said land at the time of its certification and interest at twenty-five per cent. per annum up to the date of its redemption, and all subsequent taxes and fees as hereafter provided. It shall be the duty of the Clerk upon the receipt of said taxes, interest and fees, to at once cancel the certificate, or such portion thereof as the part or interest redeemed shall amount to and shall deliver said certificate to the party so redeeming, if the entire land represented therein shall have been redeemed; or a redemption certificate under his hand and official seal showing what portions or interest of such lands have been redeemed, noting same on back of said original certificate and note the fact of such redemption upon the recorded in his office.

Sec. 144. Redemption Fees. When any lands are redeemed under the provision of above section, the Clerk shall charge and receive the following fees: For taking affidavit 20 cents; redemption fee 50 cents, and in case said redemption occurs after the posting of the list, a further fee of one dollar shall be charged to cover expense of clerical work and posting.

ARTICLE XV.

VOTERS AND REGISTRATION.

SECTION 145. Be it ordained by the Council of the Town of Winter Park that no person shall be entitled to vote at any annual or special election ordered by the town council of the Town of Winter Park, unless such person shall be a male who has attained the age of twenty-one years, shall be a citizen of the United States or shall have duly declared his intention to become such, shall have resided in this State one year and in this town six months immediately preceding said election, and shall have been duly registered with the Town Clerk of said town at least ten days prior to said election and otherwise complied with the laws of the State of Florida.

Sec. 146. No person under guardianship, non-composmentis, or insane, or convicted of a felony and not restored to civil rights shall be qualified to vote at any such election.

Sec. 147. Be it further ordained that at any special election all persons who shall have registered for the an-

nual election, or who shall have registered at least ten days preceding such election with the Town Clerk shall be entitled to vote.

Sec. 148. Provided, that no person shall be qualified to vote upon the question of bonding the town, or borrowing money, unless in addition to the above qualifications, he owns real estate within the town limits and has paid his taxes due thereon for the year preceding the election.

Sec. 149. Be it further ordained by the council of the Town of Winter Park that the Town Clerk of said town shall be ex-officio supervisor of registration of said town.

Sec. 150. Be it further ordained that the Clerk shall keep the registration book open at least two days in each week and oftener if the council shall so order, from 10 o'clock a. m. to 12 o'clock noon, from thirty days before until ten days prior to election, at which time the books shall be closed. And no person shall be allowed to register at any other time during the period above mentioned. In case of special elections the registration book shall be opened twenty days preceding time for such election and be kept open two days per week and at such hours as provided for general elections, and shall close ten days before said election.

Sec. 151. Be it further ordained that the Clerk shall open the registration book at least thirty days before any annual election, and at least twenty days before any special election, and shall keep the same open until ten days previous to such election.

Sec. 152. Be it further ordained that on closing the registration book, within two days the town council of the Town of Winter Park shall meet and revise the registration list, striking off all names that have from any cause become ineligible. That they shall publish a list of such names thus stricken off by posting in three public places, and that any person thus stricken off shall be replaced upon the registration list by furnishing proper proof to the said town council of the Town of Winter Park, at least three days before the next ensuing election, that his name has been wrongfully stricken off.

FRANCHISES.

ARTICLE I.

An ordinance granting Mr. F. B. Knowles the privilege of maintaining and operating certain lines of street railway.

SECTION 1. Be it ordained by the town council of the Town of Winter Park, Florida, that Francis B. Knowles, his heirs and assigns, shall forever have the exclusive right to construct, maintain and operate a line of street railway through and over the following named streets, parks, and public property, to-wit: Beginning at the present station of the South Florida railroad, thence diagonally through the south-east portion of the public park surrounding the said depot to a point in the extreme south-east corner of said park at the intersection of East Park and New England avenues; thence in a southeasterly direction across said East Park avenue to the center of said New England avenue; thence east in the center of said New England avenue, crossing the remainder of East Park avenue, and crossing Interlachen and Chase avenues to a point at the entrance of the grounds of Hotel Seminole; thence in a southeasterly direction to Osceola avenue and along the north side of said avenue, far enough to give free access to the rear of Hotel Seminole.

Sec. 2. Be it further ordained by the council of the Town of Winter Park, Florida, that Francis B. Knowles, his heirs and assigns shall forever have the exclusive right to construct, maintain and operate a line of street railroad through and over the following named streets, parks and public property to wit: Beginning at a point on the southwest side of the present grounds of said Hotel Seminole, thence in a southeasterly direction across Osceola avenue through a small park, across Chase avenue and through the center of Ollie avenue to the depot of the Orlando and Winter Park railway at the termination of said Ollie avenue.

The intention of this entire ordinance being to secure to said Knowles, his heirs and assigns the exclusive and perpetual right to maintain and operate the lines of street railroad at present owned and operated by the Winter Park Company, and in case of dispute as to the intention of this ordinance, reference is hereby made to the lines as existing at this date, as shown on plat duly filed with the Clerk of said council.

Sec. 3. Be it further ordained that the said Francis B. Knowles, his heirs and assigns, shall forever keep the said lines of street railroad in high condition of repair; that he shall keep all crossings and intersections of streets in an easily passible condition across said lines of street railroad, and at no place along said line shall the street or streets be obstructed so as to forbid the free and easy passage of teams and foot passengers along or across said lines, and should such obstructions be allowed to exist by the said Knowles, his heirs and assigns longer than, in the opinion of the council of the Town of Winter Park, they are necessary the said Knowles, his heirs and assigns shall be notified by the said town council, and if not removed and repaired within ten days after such notice is given, the said Knowles, his heirs and assigns to forfeit and pay to the school fund of the said Town of Winter Park the sum of twenty-five dollars per day or fraction of a day that said obstructions are allowed to exist by said Knowles, his heirs and assigns.

Sec. 4. Be it further ordained that the said Knowles, his heirs and assigns shall, whenever ordered so to do by said town council, proceed to put the present track on a level with the street to conform to such a grade as the council may establish, under the same conditions as are provided in Section 3 this ordinance.



INDEX.

	SECTION.
Annual election, when.....	1
Canvassing election and installing the new officers	4
Clerk, duties of	19
shall give bonds,.....	18
ex-officio treasurer and assessor	17
books to be kept by.....	20
to draw warrants upon treasurer.....	21
to register warrants.....	22
to administer oaths and take affidavit.....	23
absent, how office filled temporarily.....	40
deputy, bond, etc.....	41
to issue subpoenas.....	60
when may issue execution.....	63
sexton's return to.....	123
burial permit from.....	124
certified lands, to be posted by.....	142
duties of, to cancel.....	143
compensation of.....	17
ex-officio supervisor of registration.....	149
Council, president of....	5
counting votes	3
mayor may convene	6
member to withdraw from.....	7
president of, to sign ordinances....	8
president, pro tem.....	9
as board of equalization.....	28
committees, how appointed.....	42
committee on finance, duties of.....	43
committee on sanitary, streets, etc., duties of....	44
committee on rules and ordinances, duties of....	45
committee on charities, school, etc., duties of....	46
shall make by-laws.....	47
ordinances of general nature.....	46
rules, etc., for registration of voters.....	48
meet to canvass votes.....	49
to pass ordinances.....	50
to make appropriations.....	51
mayor's veto, how to act.....	53
voucher, how approved by.....	51
duty appertaining to streets, etc.....	54
duty grading streets and sidewalks.....	55
preservation of public health.....	56

control of bridges and guard against fire.....	57
to revise registration lists.....	152
list of names stricken, to be posted.....	152
Duties of treasurer	24, 25, 26
Duties of assessor.....	27
Fire, shall not use stove pipe.....	66
how kerosene and explosive materials.....	67
shall not throw fireballs, etc.....	68
shall not discharge gun or pistol.....	69
Gates, to swing outward	120
Health, board of, who constitutes.....	69
to cause owners of lots to drain, when.....	74
hogs or pigs kept, when.....	73
decaying flesh, vegetables, etc.....	72
Mayor, proclamation	2
may convene council.....	6
duties of.....	10
power to veto.....	11
proclamation	12
to organize a police force.....	13
mandate to marshal.....	14
court, time and place for holding.....	15
contempt of court.....	16
to try offenders.....	59
to issue warrant to arrest.....	59
may issue attachments for witnesses.....	61
may continue cases.....	62
witness fees mayor's court.....	65
Marshal, monthly statement of.....	30
compensation	31
shall not leave town unless.....	32
have deputies, when	32
for neglect of duty.....	33
bonds, etc.....	34
present at mayor's court.....	35
to serve notices, etc.....	35
to be present at meetings of council.....	35
penalty for neglect of duty.....	35
shall be chief of police.....	36
how and when arrests made.....	37
when arrest without warrant.....	37
when shall allow bail.....	38
compensation feeding prisoners.....	38
to make monthly inspections.....	71
duty to eject.....	91
Officers	1

SECTION.

Ordinances, violation of	64
Penalty, for disturbing of peace.....	80
for disturbing public worship.....	81
for intoxication	82
for in state of nudity.....	83
for lewd or indecent behavior.....	83
for bathing in lakes in day time.....	84
for gambling and allowing same.....	85
for keeping a bawdy house.....	86
for owner or agent to allow.....	88
for to continue to allow.....	89
for to allow a part.....	90
for allowing disorderly assemblage.....	92
for saloons open after 11 o'clock.....	93
for any business except drugs open on Sunday..	94
for saloons and billiards after 11 o'clock.....	95
for fast driving	96
for breaking horse or mule to harness on street..	96
for despoiling cemetery or other public property	97
for hitching animals to shade trees, etc.....	98
for injuring shade trees.....	99
for animal standing on sidewalk.....	100
for driving across sidewalk.....	101
for jumping on or off trains.....	102
for idle and dissolute persons.....	103
for swindling games, night walkers, etc.....	103
for loafing on sidewalks.....	104
for playing keno and other games.....	105
for sleeping in unfinished buildings, etc.....	106
for accumulation of trash, etc.....	107
for refusing to obey sanitary ordinance.....	107
for refusing to assist an officer.....	108
for making a bonfire.....	109
for keeping open barber shop.....	110
for carrying slung shot.....	111
for use of slung shot.....	112
for shooting birds, etc.....	113
for firing gun or pistol.....	114
for to offer for sale unwholesome provisions.....	115
for forbidding use of barbed wire.....	116
for untieing or loosing a boat	117
for tampering with.. ..	117
for untieing or loosing a horse, etc.....	118
for tampering with a vehicle.....	118
for riding a bicycle on sidewalk after dark.....	119
for all gates swinging outward on walk	121

SECTION.

Physicians certificate, cause of death.....	122
Permit, burial, from clerk	124
burial not issued until.....	125
Privies to be cleaned.....	70
President pro tem.....	9
to sign all ordinances	8
to countersign treasurer's warrants	8
appoint committees	42
Redemption of lands, who may redeem.....	143
fees and costs of	144
Registration book, when to open	151
when to close	150
days and hours for	150
Revenue law, how and when license issue.....	130
Streets, to regulate and open.....	75
to construct drains and sewers.....	75
width of	76
Sidewalks, uniform width, etc.....	77
failure to construct.....	78
material of.....	79
Solicitor	29
Treasurer, what to do, refuse payment of warrant... ..	52
Trials, all persons shall have speedy	58
how conducted	58
Tax Collector, duty of.....	126
sworn monthly statement.....	126
pay over public funds.....	126
compensation of	127
not to leave town limits.. ..	128
bond of	129
Taxes, what subject to taxation.....	131
when shall assess	132
shall make duplicate rolls.....	132
personal property separate.....	132
council shall equalize	132
rolls to be completed	133
time for equalizing	133
if increase notice to be given.....	133
shall meet to hear complaint	133
to determine rate of taxation.....	134
to carry out amounts.....	135
shall annex affidavit	135
examination by council	135
warrant to be annexed.....	135
warrant, form of.....	136
how to proceed to collect.....	137

	SECTION,
how to proceed for nonpayment.....	138
when and how to advertise.....	139
fees for advertising and sale	139
advertising to be recorded in C. C. office	139
when sale to commence	139
affidavit of time advertised or posted.....	139
affidavit to be recorded.	139
how sale to be conducted.....	140
certificate not transferred or assigned until.....	140
triplicate lists to be made	141
certificate to be attached.....	141
list to be recorded, etc.....	141
list of certified lands to be posted.....	142
Voters, who shall be entitled to vote.....	145
who shall not be entitled to vote	146
who qualified to vote for bonding	148
all registered for annual shall.....	147
Undertakers, return to clerk	123





